

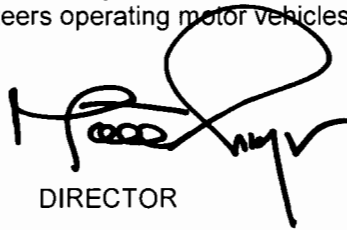


U.S. FISH AND WILDLIFE SERVICE TRANSMITTAL SHEET

PART 240 FW 9	SUBJECT Safety Program Volunteer and Youth Programs	RELEASE NUMBER 458
ORIGINATING OFFICE Division of Public Affairs		DATE 12/13/2004

EXPLANATION OF MATERIAL TRANSMITTED:

This chapter establishes policy and responsibilities for safety programs for volunteers. The purpose of this revision to the chapter is to remove the restriction on volunteers operating motor vehicles in excess of 6,000 pounds gross vehicle weight.



DIRECTOR

FILING INSTRUCTIONS:

Remove:

240 FW 9, 07/30/93, FWM 109

Insert:

240 FW 9, 12/13/04, FWM 458

**FISH AND WILDLIFE SERVICE
OCCUPATIONAL SAFETY AND HEALTH**

Occupational Safety and Health

Part 240 Safety Program

Chapter 9 Volunteer and Youth Programs

240 FW 9

9.1 What is the purpose of this chapter? The purpose of this chapter is to establish policy and responsibilities for safety programs for volunteers, including the Youth Conservation Corps (YCC), the Boy Scouts, the Girl Scouts, 4-H clubs, and the Student Conservation Association (SCA). For more information about the Volunteer Services Program, see 150 FW 1-3; for the YCC Program, see 141 FW 1-2; for the Boy Scouts, see 142 FW 1; for the Girl Scouts, see 143 FW 1; and for the 4-H, see 144 FW 1.

9.2 What is our overall safety policy for volunteer and youth programs? It is our policy that all volunteer and youth program activities be conducted in a safe and healthful manner.

9.3 What are the authorities for this program?

A. Public Law (P.L.) 91-596 Section 19, Occupational Safety and Health Act (OSHA) of 1970, Federal Agency Safety and Health Program.

B. 16 U.S.C. 1701–1706, 84 Stat. 794, P.L. 91-378, Youth Conservation Corps Act.

C. 5 U.S.C. 7901, Health Services Program; 7902, Safety Program; 7903, Protective Clothing and Equipment.

D. Executive Order 12196, Occupational Safety and Health Programs for Federal Employees.

E. 29 CFR 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs.

F. 29 CFR 570.50–570.68, Occupations Particularly Hazardous for the Employment of Minors Between 16 and 18 Years of Age, or Detrimental to Their Health or Well-Being.

G. 485 DM 1, Safety Management; Safety and Health Program; Authority, Purpose, and Policy.

9.4 What are the responsibilities of the people participating in the program?

A. Project Leaders are responsible for ensuring that:

(1) Supervisors comply with the requirements in 240 FW 1.

(2) Supervisors are knowledgeable of the methods for preventing accidents and illnesses and the procedures for outdoor work activities, and that our procedures for reporting accidents and related injuries or illnesses are followed (see 240 FW 7).

(3) Supervisors are thoroughly familiar with station safety plans.

(4) All required personal protective equipment and first aid kits are available, are in good condition, and are adequate for the intended task. See 241 FW 3 for additional guidance.

B. Volunteer Supervisors are responsible for:

(1) Conducting a safety orientation for volunteers assigned to the station in accordance with 240 FW 3. They should make sure volunteers know about the station safety plan and procedures to follow in the event of an emergency.

(2) Instructing volunteers in safe operating procedures for the activity before work begins. They should make sure volunteers know how to use personal protective equipment properly and are familiar with its limitations. They should use the job hazard analysis to help them with instruction.

(3) Ensuring volunteers use the personal protective equipment and special clothing that is required or believed to be necessary for safe performance of the work. This includes ensuring compliance with all safety rules, regulations, standards, and codes applicable to the project or task.

C. Volunteers are responsible for:

(1) Maintaining a high degree of safety awareness so that they perform their work without accident or injury.

(2) Wearing the personal protective equipment that we provide.

(3) Reporting all accidents/incidents and job-related illnesses immediately.

**FISH AND WILDLIFE SERVICE
OCCUPATIONAL SAFETY AND HEALTH**

Occupational Safety and Health

Part 240 Safety Program

Chapter 9 Volunteer and Youth Programs

240 FW 9

(4) Reporting all unsafe or unhealthful conditions that they observe. (See 240 FW 6.)

9.5 What other Federal laws apply to our safety program for volunteers and youth?

A. The Fair Labor Standards Act requires a minimum age of 18 for any non-agricultural occupation that the Secretary of Labor found and, by order, declared to be particularly hazardous for minors between 15 and 18 years of age. There are 17 declared hazardous occupation orders that either apply to an entire industry or a particular occupation within an industry. You can find the orders in 29 CFR Part 570. YCC enrollees and volunteers under the age of 18 cannot conduct these activities:

- (1) Manufacturing and storing explosives.
- (2) Motor vehicle driving and riding outside of the vehicle's cab to assist in transporting goods.
- (3) Coal mining.
- (4) Logging and saw milling.
- (5) Operating power-driven woodworking machines.
- (6) Performing activities that expose them to radioactive substances.
- (7) Operating power-driven hoisting apparatus.
- (8) Operating power-driven metal-forming, punching, and shearing machines.
- (9) Mining, other than coal mining.
- (10) Slaughtering, meat-packing, processing, or rendering.
- (11) Operating power-driven bakery machines.
- (12) Operating power-driven paper product machines.
- (13) Manufacturing brick, tile, and kindred products.
- (14) Operating power-driven circular saws, band saws, and guillotine shears.
- (15) Wrecking, demolition, and shipbreaking operations.

(16) Roofing.

(17) Excavation.

B. The Federal Employees Compensation Act (FECA) is a workers' compensation law administered by the Office of Workers' Compensation Programs (OWCP) in the U.S. Department of Labor. FECA provides compensation benefits to civilian employees of the United States for disability due to personal injury sustained while in the performance of duty or due to an employment-related disease. FECA also provides for the payment of benefits to dependents if the injury or disease causes the employee's death. All volunteers defined in Section 9.1 Purpose are considered employees for the purposes of the Federal Employees Compensation Act.

C. The Federal Tort Claims Act provides a mechanism for people to make claims against the U.S. Government for damage, loss, injury, or death caused by negligent or wrongful acts or omissions by any employee of the Government while acting within the scope of employment. All volunteers defined in Section 9.1 Purpose are considered employees for the purposes of the Federal Tort Claims Act. (See 401 FW 3.)

9.6 Are volunteers and members of youth programs allowed to operate motor vehicles owned or leased by the Service?

A. YCC enrollees are restricted from operating Service owned or leased motor vehicles unless they meet the requirements of 9.6B.

B. YCC enrollees and volunteers may operate Service owned or leased motor vehicles in accordance with the following provisions:

- (1) Enrollees and volunteers must be at least 18 years of age and possess a valid State motor vehicle operator's license.
- (2) Enrollees are restricted from operating any motor vehicle in excess of 6,000 pounds (2,700 kilograms) gross vehicle weight.

C. Enrollees and volunteers are restricted from operating private vehicles when performing duty for the Service.

9.7 Can volunteers and members of youth programs use firearms? Volunteers can use firearms in bear or

**FISH AND WILDLIFE SERVICE
OCCUPATIONAL SAFETY AND HEALTH**

Occupational Safety and Health

Part 240 Safety Program

Chapter 9 Volunteer and Youth Programs

240 FW 9

other dangerous animal habitat, when the purpose is to protect themselves or members of the research team. The volunteer must be 18 years of age or older and must have successfully completed an approved firearms training course. As described in 150 FW 1, volunteers are restricted from carrying firearms for activities associated with law enforcement.